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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

10 Niaz Baig,  
11 Plaintiff,  
12 v.  
13 Robert K. Steel, et al.,  
14 Defendants.

NO. C 09-00263 JW

**ORDER DENYING PLAINTIFF'S  
REQUEST FOR ENLARGEMENT OF  
TIME; DENYING PLAINTIFF'S MOTION  
TO VOID FORECLOSURE**

15 Presently before the Court are Plaintiff's Request for Enlargement of Time (hereafter,  
16 "Request to Enlarge Time," Docket Item No. 13.) and Plaintiff's Motion to Set Aside and Void  
17 Foreclosure.<sup>1</sup>

18 This action was removed from the Superior Court of California for the County of Santa Clara  
19 on January 22, 2009. (See Docket Item No. 1.) On March 25, 2009, Plaintiff filed a motion for a  
20 temporary restraining order. (See Docket Item No. 9.) On March 27, 2009, the Court denied  
21 Plaintiff's motion for a temporary restraining order, but scheduled a hearing for preliminary  
22 injunction regarding the anticipated foreclosure on Plaintiff's property. (See Docket Item No.12.)

23 With respect to Plaintiff's Request to Enlarge Time, Plaintiff seeks some form of time  
24 extension regarding Plaintiff's Motion for Preliminary Injunction. However, Plaintiff submitted  
25 only the first page of the Request. The Request does not address which dates Plaintiff seeks to

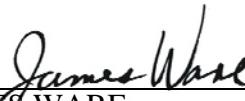
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27 <sup>1</sup> (Plaintiff's Petition to Set Aside and Void Foreclosure Sale, Cancel Note and Deed of  
28 Trust, Claim in Recoupment, and Quiet Title Against all Known Defendants and for Declaratory and  
Injunctive Relief and Notice of Invocation of Reserved Rights, hereafter, "Motion," Docket Item  
No. 14.)

1 extend or the length of the requested extension. Without a specific request, the Court is unable to  
2 determine whether Plaintiff's Request is appropriate.

3 With respect to Plaintiff's Motion to Set Aside the Foreclosure on his property, the Court  
4 finds Plaintiff's request unintelligible. (Petition at 17.) To the extent the Court can discern  
5 Plaintiff's requested relief, Plaintiff appears to seek a temporary restraining order by restating the  
6 allegations of his Complaint. However, the Court had already denied this request. At best, even if  
7 the Court were to construe this new motion as a motion for reconsideration of its March 27 Order,  
8 the Court finds that Plaintiff has not shown new facts or law to warrant reconsideration.

9 Accordingly, the Court DENIES Plaintiff's Request for Extension of time to Serve without  
10 prejudice to being renewed and DENIES Plaintiff's Motion to Set Aside and Void Foreclosure.

11  
12 Dated: April 10, 2009

  
13 JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 James A. Scharf james.scharf@usdoj.gov

3 Niaz Baig  
1249 Fleming Avenue  
4 San Jose, CA 95127

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6 **Dated: April 10, 2009**

**Richard W. Wieking, Clerk**

7 By: /s/ JW Chambers  
8 Elizabeth Garcia  
9 Courtroom Deputy